

REMARKS

This application, as amended herein, contains claims 1 - 13 and 17 - 19. Claims 14 - 16, 20 and 21 have been canceled.

Claims 20 and 21 were rejected under 35 U.S.C. 112, first paragraph. By the cancellation of claims 20 and 21, and amendments made in claim 19, this rejection is now moot.

Claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al in view of Matyas, Jr. In view of the amendments made herein, it is submitted that this rejection is no longer tenable.

Claim 1, recites a method for providing one or more alerts over a network and determining a reaction to said alerts. The method comprises the steps of:

composing one or more alert messages, which are sent to an alert database;

using network links for gathering a plurality of reaction enabling analysis tools for a user to use in a collaborative manner with other users and experts on the subject matter of the alert to form a virtual community of interest based on the user and what the alert is, to start a real time, collaborative session to respond to the respective alert;

using data extracted from one or more databases, including the alert database, to dispatch the alert messages and corresponding reaction enabling analysis tools to one or more of the users and experts over a network, the alert messages and corresponding reaction enabling analysis tools allowing contact with facilities useful in responding to the alert; and

users and experts who have received the alert message and corresponding reaction enabling analysis tools cooperating with each other in conducting analysis by using the reaction enabling analysis tools to determine a reaction to said alert.

Support for the amendment to claim 1 may be found at least at in the specification at page 14, lines 1 - 11 and page 24, line 11 to page 25, line 2.

Thus, the method of claim 1 recites using network links for gathering a plurality of reaction enabling tools for a user to use in a collaborative manner with other users to respond to the respective alert. Users interact with other users and experts on the subject matter of the alert to form a virtual community of interest based on the user and what the alert is, to start a real time, collaborative session to respond to the respective alert.

As admitted by the Examiner in withdrawing a previous rejection, Payne et al. clearly does not teach or suggest claim 1. A detailed argument for why this is so was submitted in Applicants' previous paper, and is set forth again below. However, the issue is: what, if anything is added by Matyas, Jr. As set forth immediately below, it is respectfully submitted that nothing relevant is added by Matyas, Jr.

The Examiner cites Matyas, Jr. for the portion that recites:

The present invention relates to a method and apparatus for providing product survey information in an electronic payment system, such as the MiniPay system, so that buyers can receive product evaluation information prior to making purchases and so that buyers can participate in on-line surveys, in order that they may provide comments about purchased products. In accordance with the present invention, an electronic payment system in which a buyer purchases a product by sending an electronic payment order to a seller is enhanced to provide product survey information. An additional entity, an evaluator, collects product survey information from buyers that have previously purchased products from the seller and provides product survey information to prospective buyers upon request. (Matyas, Jr., Column 2, line 63 to column 3, line 9, emphasis added).

It was previously pointed out that the Examiner's rejection stretches the relevance of Matyas, Jr. beyond any reasonable interpretation. The purchases in Matyas, Jr. do not cooperate with one another and with experts in a real time collaborative session. There simply is no interaction between them in solving a problem in response to an alert. This is because:

1. Any product evaluation the purchaser may provide goes to an evaluator, and not to other purchasers to review, enhance, modify or critique. There is no cooperation on a user to user or user and expert basis.
2. The product evaluation information is of absolutely no use in responding to an alert, which may be time sensitive. Product evaluation information based on user surveys is only generated after the user receives and has an opportunity to evaluate the product, and finally gets around to the task of providing the evaluation information. This can be months after the purchase. Then, the evaluator must sift through the information, edit it, and finally supply it, thus generating further delay.

Thus, not only does Matyas, Jr. not teach or suggest what is being done in claim 1, but there is absolutely nothing that would suggest user cooperation or collaboration with other users and experts to respond to an alert in Matyas, Jr. In other words, first there is no suggestion to combine the references, and second, even if they are combined, claim 1 is still not rendered obvious.

As noted in a previous amendment, Payne et al. is directed to a system for making electronic purchases. The network-based sales system of Payne et al. may include at least one buyer computer for operation by a user desiring to buy a product, at least one merchant computer, and at least one payment computer. The buyer computer, the merchant

computer, and the payment computer are interconnected by a computer network. The buyer computer is programmed to receive a user request for purchasing a product, and to cause a payment message to be sent to the payment computer that comprises a product identifier identifying the product.

There is no teaching or suggestion in Payne et al. of using network links for gathering a plurality of reaction enabling tools for a user to use in a collaborative manner with other users and experts, in a real time, collaborative session, to respond to an alert, as set forth in claim 1. Further, there certainly is no teaching or suggestion that users who have received the alert message and corresponding reaction enabling analysis tools cooperate with each other and experts in conducting analysis by using the reaction enabling analysis tools to determine a reaction to an alert. The method of claim 1 allows a user to bring an extensive range of resources and experts to bear on solving problems, or for obtaining desired information, including cooperating with other users and experts in using the reaction enabling tools to conduct analysis to determine an appropriate reaction.

Payne et al. is directed primarily to providing information via an Internet connection to facilitate making a purchase. No portion of Payne et al., whether specifically cited by the Examiner or not, teaches or suggests the recitations in claim 1 discussed above.

For the reasons set forth above with respect to Matyas, Jr., it is submitted that the combination of Payne et al. and Matyas, Jr. simply do not render claim 1 obvious. It is thus submitted that claim 1 is directed to patentable subject matter.

The remaining claims (except for claim 19) depend from independent claim 1. These claims have further recitations, which when combined with the recitations of claim 1, are also directed to patentable subject matter.

As noted above, even if taken in combination with Matyas, Jr., Payne et al. does not teach or suggest that users and experts who have received the alert messages and corresponding reaction enabling analysis tools can or should cooperate with each other in conducting analysis by using the reaction enabling analysis tools to determine a reaction to an alert, in a real time collaborative process, in making a purchase. Indeed, such collaboration would not make sense in Payne et al. However, in Applicants' invention, as set forth in claim 1, such collaboration is highly advantageous in allowing users and experts to work together to solve a difficult problem. In this regard, reference is made to the specification at page 6, lines 8 - 16, where such collaboration is specifically described. Payne et al. is completely silent with respect to this type of approach.

With specific reference to claim 2, the tool gathering is done by one or more of a manual process and automatic process and the combination of manual and automatic

processes. Payne et al., even if combined with Matyas, Jr., does not teach or suggest claim 2.

Further, Payne et al., even if combined with Matyas, Jr., does not teach or suggest the contents of alert messages in claim 3, or the events as set forth in claim 4.

With respect to claim 5, Payne et al., even if combined with Matyas, Jr., does not teach or suggest associating one or more of the response enabling tools to alerts by use of any one or more of the recited response enabling tools. Further, Payne et al., even if combined with Matyas, Jr., does not teach or suggest the list of response enabling tools set forth in claim 6.

Payne et al., even if combined with Matyas, Jr., does not teach or suggest that one of the databases is a database of client information as set forth in claim 7 or that the response enabling tools are determined by the alert and a combination of the user information, as specifically set forth in claim 8.

With respect to claim 10, Payne et al., even if combined with Matyas, Jr., does not teach or suggest providing access to otherwise protected service on a temporary basis. Further, Payne et al., even if combined with Matyas, Jr., does not specifically teach an exclusive service, an access to a web site and an access to privileged information, as set forth in claim 11.

Payne et al., even if combined with Matyas, Jr., does not teach or suggest that a client includes one more of a website and a person as set forth in claim 12, or that the response tools include any one more of connection to multiple reaction system and connection to a collaborative system, as in claim 13.

Thus, for the reasons set forth above, and for the reasons as set forth with respect to claim 1, it is submitted that claims 2 - 13, are directed to patentable subject matter.

Claim 17 adds the additional recitation of providing a message if the user frequently declines to respond to alerts. This feature of Applicants' invention advantageously allows for corrective action of various kinds to be taken, such as contacting the user by other means, or sending fewer or no such alerts. It is respectfully submitted that the rejection of claim 17 does not address whether there is any teachings at all in the cited references of what happens when a user frequently declines to respond to alerts. Absent such specifics, it is respectfully submitted that an adequate and convincing reason for the rejection of claim 17 has not been provided. It is submitted that hat claim 17 is also directed to patentable subject matter, and is thus allowable.

Claim 18 recites providing identity and entitlement information to the facilities to enable access to the facilities. Payne et al., even if combined with Matyas, Jr., does not teach or suggest such an approach. Indeed,

this would be completely counterproductive in the network-based sales system of Payne et al., as it could have the effect of limiting sales. However, it is advantageous in Applicants' invention, in that the facilities, which may provide complex information or services, are accessed so as to assist the user and experts in solving what may be a difficult problem. Thus, it is submitted that claim 18 is also directed to patentable subject matter.

Independent claim 19 has been amended in a manner similar to the amendments of claim 1, but also states that the reaction enabling tools are analysis and computational tools. While Payne teaches a network-based sales system, there is no teaching or suggestion in Payne et al., even if combined with Matyas, Jr. of bringing together reaction enabling tools to permit analysis and computation concerning a subject of interest and to enable a reaction to an alert based on such analysis and calculation, by a community of interest, in a real time collaborative manner. For the reasons set forth above, and for the reasons set forth with respect to claim 1, it is respectfully submitted that claim 19 is directed to patentable subject matter.

The additional patentable significance of the recitations in claim 19, is that neither Payne et al. nor Matyas, Jr., whether taken alone or in combination, teach or suggest the approach of claim 19. The portion of Matyas, Jr. relied upon by the Examiner simply does not allow for real-time collaborative interaction between the users and experts, in a virtual community, based on the user and what the alert is, to respond to the alert. As

noted above, there would be considerable delay in receiving and processing the information in accordance with any combination of Payne et al. and Matyas, Jr., due to the need for customers to receive a product, evaluate it, reply to a survey, send the information to the evaluator, and provide time for the evaluator to review, edit and supply the information. It is thus submitted that claim 19 is also clearly directed to patentable subject matter.

Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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4/16/2008
Date